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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,762	12/15/2001	Tara Chand Singhal	-1195-25	2528

7590 12/17/2003

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EXAMINER

WHITE, CARMEN D

ART UNIT	PAPER NUMBER
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3714

DATE MAILED: 12/17/2003

21

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/022,762

Applicant(s)

SINGHAL, TARA CHAND

Examiner

Carmen D. White

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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Drawings

The drawings filed on December 15, 2001 are acceptable to the examiner.

Abstract

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 9-12, and 15-17, 19, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Brooks** (6,273,420) in view of **Kagan** et al (5,618,045) or **Logg** (4,738,451).

Regarding claims 1-7, 9-12, and 15-17, 19, 21, Brooks teaches a game comprised of a computing device with a display screen and an input device; a game software operative within the computing device, the game software enabling display of a

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landscape, a hide character {mouse} and a seek character {cat} , wherein the hide character moves over the landscape and hides in the landscape and subsequently the seek character moves over the landscape and seeks the hide character (abstract; col. 1, lines 24-46). While Brooks teaches a mouse hole feature in the landscape, Brooks is silent regarding a plurality of features on the landscape. In an analogous maze game system Kagan or Logg teaches plural features in a maze gaming landscape (Kagan-col. 4, lines 53-67; Logg- col. 5, lines 1-45; col. 3, lines 34-59; col. 4, lines 50-68). Also, while Brooks teaches the use of a personal computer with input devices (col. 1, lines 24-29), Brooks lacks the explicit disclosure of a mouse input device. The examiner takes notice that the use of a mouse on a personal computer is well known in the art. It would have been obvious to a person of ordinary skill in the art at the time of the invention to employ the use of a mouse in the personal computer of Brooks for easier input by the player.

Regarding claim 19, Brooks and Kagan or Logg teach all the limitations of the claims as discussed above. The references lack the explicit disclosure of a clue function enabling a deposit of clues by the hide character. The examiner asserts that is is well known in the art to provide clues to the players. It would have been obvious to a person of ordinary skill in the art at the time of the invention to employ the use of clues in Brooks and Kagan or Logg to make it easier for younger children to play the game and not get discouraged and quit.

Claims 8, 13-14, 18, 20 and 22-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Brooks** (6,273,420) in view of **Kagan** et al (5,618,045) or **Logg** (4,738,451), further in view of **Walker** et al (6,224,486) or **Lee** (6,267,675).

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Regarding claims 8, 13-14, 18, 20 and 22-40, Brooks in view of Kagan or Logg teaches all the limitations of the claims as discussed above. The references lack the explicit disclosure of the network messaging and database features. In an analogous Web/Internet gaming system, Lee or Walker teaches these features (Walker-abstract; Fig. 3; Fig. 5; Fig. 8; Lee- abstract; Figs. 1-5). It would have been obvious to a person of ordinary skill in the art at the time of the invention to include these network gaming features in Brooks and Kagan or Logg to make the game customized for each player, thereby making the game more realistic and fun to play.

USPTO Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carmen D. White whose telephone number is 703-308-5275. The examiner can normally be reached on Monday through Friday, 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1078.



Carmen White
Patent Examiner, 3714